NOTE

This Microfiche meets the quality requirements of the American National Standard for Microfiche of Documents (ANSI PH5.9-1975). However, because of imperfections in the document from which it was made, it contains images that are illegible or difficult to read. The source document for this microfiche is the best copy that could be obtained prior to filming.

Congressional Information Service,
Washington, D.C.

Calendar No. 174

101ST CONGRESS
1st Session

SENATE

REPORT
101-87

BOOTS AND SADDLES TOUR STUDY ACT OF 1989

JULY 27 (legislative day, JANUARY 3), 1989.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 560]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 560) to direct the Secretary of the Interior to conduct a study of certain historic military forts in the State of New Mexico, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 2, line 18, strike "study of historic forts" and insert in lieu thereof "study of the following historic forts."

2. On page 2, line 19, strike "campaigns, including—" and insert in lieu thereof "campaigns:".

PURPOSE OF THE MEASURE

The purpose of S. 560, as ordered reported, is to direct the Secretary of the Interior, acting through the Director of the Bureau of Land Management and the Director of the National Park Service, to conduct a comprehensive study of eight historic military forts in the State of New Mexico.

BACKGROUND AND NEED

The territory of New Mexico was crossed by a large number of trails and routes in the 1800's. Numerous military forts were located along these trails to protect settlers and travelers. Because of the arid climate and sparse population in this area, the physical evidence of many of these forts remains. However, weathering, grazing, unsupervised visitation and the lack of maintenance are causing the forts to deteriorate.

S313-19

S. 560, as ordered reported, would direct the Bureau of Land Management and the National Park Service to conduct a study of eight historic forts in the State of New Mexico. The forts which will be the focus of the study are Fort Craig, the largest Civil War fort in the West; Fort Cummings, which served as a base of operations for the Apache wars; Fort Stanton, which was a military outpost during the Indian Wars and exchanged hands during the Civil War; Fort Union, the principal supply artery for federal forces; Fort Sumner, which exemplifies the Government's policy of repressing Indian resistance to American expansion through forced settlement on military reservations; Fort Seldon, which protected settlers from raids and was the boyhood home of Douglas MacArthur; Fort Bayard, which played a key role in the campaigns against Geronimo; and Fort McRae, whose mission was to deny raiding Indians use of the popular Jornada del Muerto trail.

The bill, directs that the study be transmitted to the appropriate Congressional Committees 1 year after funds are made available. It also requires the Secretary to develop alternative means of interpreting and preserving the historic forts including the feasibility of establishing tour routes for vehicles and horse-mounted visitors.

LEGISLATIVE HISTORY

S. 560 was introduced by Senators Bingaman and Domenici on March 9, 1989. A hearing was held before the Subcommittee on Public Lands, National Parks and Forest on June 21, 1989.

At the business meeting on July 19, 1989, the Senate Committee on Energy and Natural Resources ordered S. 560, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on July 19, 1989, by a majority vote of a quorum present recommends that the Senate pass S. 560 if amended, as described herein.

The rollcall vote on reporting the measure was 18 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford [1]	
Mr. Metzenbaum [1]	
Mr. Bradley	
Mr. Bingaman [1]	
Mr. Wirth	
Mr. Conrad	
Mr. Heflin	
Mr. McClure	
Mr. Hatfield	
Mr. Domenici	
Mr. Wallop [1]	
Mr. Murkowski	
Mr. Nickles	
Mr. Burns	

Mr. Garn [1]
Mr. McConnell [1]

[1] Indicates voted by proxy.

COMMITTEE AMENDMENTS

During consideration of S. 560, the Committee adopted an amendment to direct the Secretary of the Interior to focus his study only on the eight forts specifically identified in the bill. As introduced, the bill provided the Secretary the authority to study additional historic forts in New Mexico.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 24, 1989.

Hon. J. BENNETT JOHNSTON, Jr.,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 560, the Boots and Saddles Tour Study Act, as ordered reported by the Senate Committee on Energy and Natural Resources on July 19, 1989.

S. 560 would authorize the appropriation of funds for the Department of the Interior (DOI) to conduct a study of eight historic forts in the State of New Mexico. The DOI would be required to complete the study within one year after receiving the necessary funds. Based on information from the National Park Service and the Bureau of Land Management, we estimate that $100,000 would be spent to complete the authorized study in 1990, assuming funds are appropriated by the beginning of the fiscal year.

Enactment of S. 560 would not affect the budgets of state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Theresa Gullo, who can be reached at 226-2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 560. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 560, as reported.

EXECUTIVE COMMUNICATIONS

On June 7, 1989, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on S. 560. These reports had not been received at the time the report on S. 560 was filed. When the reports become available, the chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Department at the Subcommittee hearing follows:

STATEMENT OF GERALD D. PATTEN, ASSOCIATE DIRECTOR, PLANNING AND DEVELOPMENT, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, I appreciate the opportunity to provide your Subcommittee with information on S. 560 regarding the study of certain historic military forts in the State of New Mexico and an evaluation of the feasibility of establishing a "Boots and Saddles Tour Trail" to include tour route for vehicles and horse-mounted visitors.

This is a bill that proposes the National Park Service and the Bureau of Land Management evaluate eight historic forts in the State of New Mexico, including Fort Stanton, Fort Union, Fort Sumner, Fort Craig, Fort Cummings, Fort Selden, Fort Bayard, and Fort McCrae.

Mr. Chairman, the study proposed in S. 560 requires no additional authority. The National Park Service would not object if Congress chooses to enact a specific authorization for this study; however, we do not intend to request additional funding. We estimate the cost of the study to be $100,000.

These historic cavalry forts were occupied during the Civil War and Indian campaigns in the Southwest and played a role in the settlement of the American frontier.

Two of these forts are currently being preserved for the public. Fort Union is managed by the National Park Service as a national monument. It was the principal quartermaster depot of the Southwest and guarded the Santa Fe Trail. Fort Craig is managed by the Bureau of Land Management. Some forts are available to the public and some are used for other purposes, such as a State rehabilitation clinic at Fort Stanton.

Many of these forts are showing the effects of natural weathering, unsupervised visitation, and a lack of funds for rehabilitation and maintenance. Other than the national monument at Fort Union, little, if any, public information and interpretive materials are provided to the public and access is limited at some sites.

The study of these forts, preservation and interpretative opportunities, and potential trail linkages would be useful in the preparation of strategies for their care and public use. Any study would emphasize non-Federal alternatives for rehabilitation of those forts that are not already protected.

Mr. Chairman, this concludes my prepared statement. I will be happy to answer any questions that you may have.

STATEMENT OF LARRY L. WOODARD, STATE DIRECTOR, NEW MEXICO, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

I appreciate the opportunity to be here today to testify in support of proposed legislation to authorize the study of certain historic military forts in the State of New Mexico. Such a study can result in improved coordination between private parties and State and Federal agencies in the interpretation and protection of these unique historic ruins.

The territory of New Mexico was crossed by a large number of trails in the 1800's. Located along the travel routes were numerous military forts, designed to protect travelers and settlers. Of the approximately 30 major military forts established by the mid-1800's, some like Ft. Cummings and Ft. Union guarded key transportation routes such as the Butterfield Stage Route or the Sante Fe Trail. Others like Ft. Selden, Ft. Bayard, and Ft. McRae served as bases of operation in military campaigns against Indian Tribes. Not everyone realizes that Ft. Craig was the scene of the largest Civil War battle in New Mexico. The interconnected system of military forts in the Southwest played a major role in the settlement and development of the American frontier.

New Mexico's rich legacy in prehistoric archeological ruins is becoming increasingly well known to the American public. Tourism and related businesses in the State already employ more workers than any other industry. Visitors to New Mexico are drawn to such well known prehistoric sites as Bandelier or Chaco Canyon and its outlier communities. However, the dry climate and sparse population that have contributed to the preservation of prehistoric sites have also helped to protect the physical remains of adobe forts and the historic trails which connected them. The development of interpretive programs centered around 19th century military forts would effectively complement other tourism opportunities in the State.

There is abundant evidence to suggest that the public is deeply interested in historic cultural resources. In 1987, for example, over 7,000 spectators came from 15 outlying States to participate in and observe the reenactment of the Civil War Battle of Glorieta. Approximately 40,000 tourists stop in to visit Ft. Sumner, Ft. Selden, and Ft. Union each year. On June 17 and 18 of this year, the Civil War Reenactors of New Mexico restaged the historic battle of Val Verde outside of Ft. Craig. Recreation of authentic military camps, and living history demonstrations of artillery and cavalry drill, cooking demonstrations, a post PX, and hospital camp drew large crowds. Full scale reenactments of major military campaigns can draw tens of thousands of observers and participants.

S. 560 would provide for a comprehensive and systematic study of the best means to interpret, stabilize, and restore a representative sample of these important military forts in New Mexico. The eight forts included in the legislation, Forts Stanton, Union, Sumner, Craig, Cummings, Selden, Bayard, and McRae, are currently managed by the Bureau of Land Management, the State of New Mexico, the Bureau of Reclamation, and the National Park Service. They form a representative sample of the range of military forts which operated in New Mexico in the 1800's.

We would recommend that this study be prepared in two parts. The first part should contain management recommendations for those forts in the system originally designated. A process for interagency coordination and administration should be proposed. Guidelines for resource management including emergency protection measures, site patrolling, preservation, and research could be offered. Common approaches to visitor use and interpretation and legislative compliance should be agreed upon. Finally, procedures to adjust boundaries of designated sites would be established.

The second part should present guidelines for any possible future site selection and designation. Future selection criteria for sites on public or private lands should be spelled out in detail.

There is one other aspect of the proposed legislation which should be highlighted. The study would include the feasibility of establishing tour routes for vehicles and horse-mounted visitors which may encompass common themes and link appropriate sites. The Masau Trail, authorized by the Act of December 31, 1987, is designed for automobile touring. Other trail systems such as the Pacific Crest Trail or the Continental Divide Trail are designed for hiking. S. 560 can lead to the protection and development of horseback riding trails on the same historic routes which originally connected the forts in the 1800's. Efforts by such groups as the Lincoln County Heritage Trust to develop scenic bridle trails in the Ft. Stanton area suggest that there is a need and desire for more equestrian based recreation. Certainly, this legislation would complement the Trust's efforts to develop a National Center for the Western Horse and restore Ft. Stanton. The possibility of preserving and interpreting stage stops, way stations, and temporary camps along the historic trails provides a unique opportunity. Agencies could interpret the forts in the context of the transportation networks and larger economic systems into which they were fully integrated.

The enactment of S. 560 and completion of its mandated study will encourage increased cooperation between private land owners, State, and Federal agencies. Our recent experience with both the Act of December 19, 1980 which designated certain New Mexico forest system lands as part of the Wilderness Preservation System, and the 1987 Masau Trail legislation, have convinced us that an inter-

agency approach to resource management can lead to more cost effective means of managing the public lands. This approach should result in the sharing of personnel, expertise, materials, and financial resources. Coordinated interagency management should produce complementary interpretive programs, joint signing, and increased public appreciation of our Recreation and Cultural Resources Management Programs.

In summary this proposed legislation will provide greater opportunities for the public to see and experience the history of the expansion and settlement of the American frontier. The stories of black "Buffalo Soldiers", Apache and Comanche Indians, actual Civil War engagements in the West, and the mountain men and traders are all aspects of western history not fully understood by many. This legislation gives us the chance to tell the "rest of the story."

This concludes my statement. I would be pleased to respond to questions.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 560, as reported.

○